

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

2009 JAN -5 AM 11:12

Plw

ALONZO MOREFIELD, JR.,

Plaintiff,

vs.

CIVIL ACTION NO.: CV607-010

HUGH A. SMITH, Warden, individually
and STEVE DUPREE, Unit Manager,

Defendants.


ORDER


Presently before the Court are Plaintiff's Objections to the Magistrate Judge's Report, wherein he recommended that Defendants' Motion for Summary Judgment be granted and that Plaintiff's Complaint be dismissed. After an independent review of the record, the undersigned adopts the Magistrate Judge's Report and Recommendation as the opinion of the Court.

In his Objections, Plaintiff contends that he exhausted his administrative remedies. Plaintiff asserts that the Magistrate Judge misconstrued his deprivation of property claims because his claims are only related to the deprivation of legal papers, legal documents, and legal files. Plaintiff further asserts that his extended stay in administrative segregation was a violation of his due process rights because it was a pretense to indefinite confinement and the monthly review hearing was equivalent to a "rubber stamp screening." Plaintiff did not object to the Magistrate's recommendation

that his equal protection claim and his claims against Defendants in their official capacities be dismissed. (Doc. 201).

Based on the reasoning found in the Magistrate Judge's Report and Recommendation, Plaintiff's Objections are without merit. The Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court. Plaintiff's religious freedom claims against these Defendants are **DISMISSED**, without prejudice, due to Plaintiff's failure to exhaust his available administrative remedies prior to filing his Complaint. Plaintiff's remaining claims are **DISMISSED**, with prejudice.

SO ORDERED, this 5 day of December, 2009. 


B. AVANT EDENFIELD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA